



DEPARTMENT OF THE NAVY
OFFICE OF THE JUDGE ADVOCATE GENERAL
1322 PATTERSON AVENUE SE SUITE 3000
WASHINGTON NAVY YARD DC 20374-5066

IN REPLY REFER TO

JAGINST 1520.1A
Code 61
07 OCT 2005

JAG INSTRUCTION 1520.1A

From: Judge Advocate General

Subj: NAVY FULLY FUNDED POSTGRADUATE LEGAL EDUCATION AT
CIVILIAN INSTITUTIONS PROGRAM

Ref: (a) OPNAVINST 1520.23B
(b) OPNAVNOTE 1520 (Jul 04)
(c) NAVPGSCOINST 1520.1H

Encl: (1) Sample Application

1. Purpose. To announce and promulgate application procedures and guidelines for the Navy Fully Funded Postgraduate Legal Education at Civilian Institutions Program. With the exception of the writing requirement in paragraph 9, this instruction does not apply to assignment to service school postgraduate programs, including the Judge Advocate General of the Army Legal Center and School (TJAGLCS).

2. Cancellation. JAGINST 1520.1

3. Discussion. The Navy Fully Funded Postgraduate Legal Education at Civilian Institutions Program (hereafter referred to as the "Program") supports Navy requirements for specialized education beyond the Juris Doctorate level. These requirements are identified in Navy's billet structure by subspecialty codes as defined in references (a) through (c). Comparison of the number of subspecialty-coded billets to the number of subspecialty-coded officers allows calculation of annual program requirements. Whether an officer can attend a particular postgraduate education program is a function of the needs of the Navy for a particular subspecialty, tuition costs, available tuition budget, and permanent change of station costs. Reference (a) authorizes Navy Judge Advocates (JAs) to pursue postgraduate education leading to one of the following subspecialties:

| <u>Subspecialty Code</u> | <u>Subspecialty</u> | <u>Curriculum</u> |
|--------------------------|------------------------------|-------------------|
| 1201P | Military Law/Operational Law | 881, 884 |
| 1203P | International Law/ Ocean Law | 883, 887 |
| 1204P | Tax Law | 882 |
| 1205P | Health Care Law | 885 |
| 1207P | Environmental Law | 880 |

4. Eligibility

a. To be eligible for this program, active-duty JAs must be selected for promotion to the grade of O-4 or serving as an O-4 and be neither selected, nor failed to select, for promotion to the pay grade of O-5. In addition, JAs currently enrolled in or a graduate of TJAGLCS or the Naval War College (Junior Course) are ineligible to apply for this program. However, completion of this program does not preclude subsequent assignment of JAs to the Naval War College, TJAGLCS, the National Defense University, the Industrial College of the Armed Forces, or any other service school.

b. Officers enrolled in graduate study on their own initiative/at their own expense are eligible for this program. Credits earned may be applied towards this program and reduce the amount of Duty-Under-Instruction (DUINS) time required. Officers who have earned degrees qualifying for a JAG Corps subspecialty may apply for subspecialty coding by contacting the JAG Corps Postgraduate Program Coordinator.

c. Waivers. O-5/O-5 (select) JAs previously selected for this program, but who have not yet attended school, may apply for a waiver to attend school under this program. Interested officers should submit a waiver request to PERS-4 via PERS-4416. Requests should state the reason(s) the officer could not attend postgraduate school prior to promoting/selecting to O-5 and state his willingness to commit to the service obligation.

5. Procedures

a. Screening Process. The Program Selection Board is an administrative board governed by the Judge Advocate General (JAG). Board members should represent the wide range of JA billet types and leadership positions and should reflect the composition of the JAG Corps, crossing all racial, gender, cultural, and geographical lines.

b. Precept. Precepts will appoint a Selection Board President (a JA Captain/O-6) and at least four additional voting members comprised solely of JAs. Precepts will also establish a program selection limit (i.e., the maximum number of JAs that may be selected) and direct the board to apply a "best and fully qualified" selection standard for selecting JAs for this program.

c. Timing. JAs will be selected into this program by an administrative selection board that will receive and review applications from interested officers. Selection boards will convene no later than June 1st each year in Washington, DC, or any such time and place as the JAG deems appropriate. Selection for this program will be based on outstanding professional performance (as evidenced by Fitness Report records), academic capability (which can support success in postgraduate study), promotion potential, strong educational background, and interest in postgraduate education (as evidenced by submitting an application and the officer's stated reasons for desiring to attend Postgraduate School). Individual officers must submit applications for consideration by the selection board. Consideration for this program is not automatic.

d. Submission of Applications. Applications for this program must be received at PERS-4416 no later than May 1st, at the following address:

Navy Personnel Command
PERS-4416B
5720 Integrity Drive
Millington, TN 38055-4416
Attn: FY-__ JAGC PG Education Panel

Fax: (901) 874-2679
DSN FAX: 882-2679

e. Application Content. Applications for this program must contain the following:

- (1) A letter from the applicant stating the following:

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(a) Name, rank, and social security number;

(b) Date of rank;

(c) Date of commissioning in the Naval service, date of graduation from NJS Basic Lawyer Course, and commissioning source (direct accession/student program/LEP);

(d) List of all duty stations and assignments, including dates;

(e) List of all awards received for professional achievement while in military service, including duty station and dates;

(f) Names of all undergraduate institutions and law schools attended, including dates of attendance and degrees awarded; and

(g) Statement of 100 words or less listing reasons for desiring to attend postgraduate education.

(2) Enclosed with application must be the following documentation:

(a) Copies of all undergraduate transcripts;

(b) Copies of all law school transcripts;

(c) Copies of the officer's five most recent observed fitness reports;

(d) The officer's latest official Navy photograph;

(e) No more than two letters of recommendation (usually optional, but see paragraph 5e(3) below for additional guidance); and

(f) Other supporting documentation (optional).

(3) Commander's/Commanding Officer's endorsement. The command endorsement is a key factor in selecting the best-qualified JAs to fill a limited number of postgraduate

positions. The endorsement must be thorough, complete, and comment on the applicant's performance of duty, professional aptitude, potential as a career JA, integrity, character, and overall officer characteristics. If the Commander/Commanding Officer is not in the JAG Corps, at least one Letter of Recommendation must be from a Senior JA (e.g., Fleet Judge Advocate, Force Judge Advocate, etc.) familiar with the applicant's professional performance.

(4) Letters of Recommendation. Letters of Recommendation reflect professional accomplishments and provide board members with vital information related to an applicant's performance as a JA and Naval Officer. An applicant may submit no more than two Letters of Recommendation. Additional supporting documentation (e.g., award citations, letters of commendation, etc.), other than Letters of Recommendation is optional and may be submitted at the applicant's discretion.

f. Selection Notification. Officers selected for this program will be contacted by PERS-4416 and provided further guidance.

6. Assignment Considerations. Per references (a) through (c), officers selected for postgraduate education are eligible for DUINS tours as soon as they complete their current tour. Actual assignment depends on needs of the Navy, quota availability, and continued outstanding professional performance. Due to grade/rank restrictions imposed on attending Postgraduate School, the more senior officers selected will be given priority consideration for assignment.

7. Curriculum Assignment. JAs selected for this program are subsequently designated for study in a particular subspecialty curriculum based upon the Navy's needs, as demonstrated by the quota availability for each curriculum, and the JA's preference. Requests for curriculum assignment will be made during the normal assignment-slating process. The JAG will make all curriculum assignments and officers will be notified of their curriculum assignment at the same time they are slated to attend Postgraduate School. For officers selected by boards that met prior to January 1, 2003 who have been assigned curriculum, changes to that assignment must be initiated by the JA and forwarded to PERS-4416 for review and approval. Changes will

not be considered if a JA is not qualified for the revised curriculum, if quotas are not available, or if quotas must be filled in the original curriculum.

8. Obligated Service. Per reference (a), officers participating in this program will agree that, upon completion or termination of the education program, they will obligate themselves to serve on active duty for a period three times the length of education through the first year (i.e. a one-year postgraduate degree program will obligate the JA to three years of active duty service). The service obligation will commence upon completion or termination of the program.

9. Submission of Academic Work to the Naval Law Review. The Naval Law Review, published by the Naval Justice School, is a peer-reviewed forum for legal topics that affect the military. JAs participating in this program, as well as TJAGLCS and the Naval War College Master's degree program, are required to author an original Academic Work containing legal analysis of an issue that affects the U.S. military. This Academic Work must also be submitted to the Naval Law Review to be considered for publication and to be included in a web-based library of JAGC legal research and guidance for Navy JAGC personnel access.

a. As used in this instruction, Academic Work refers to any writing containing legal analysis of a topic that affects the military, including, but not limited to, a book review, case note, essay, or thesis. While it is highly encouraged, it is not necessary that the writing be in the traditional format of a Law Review Article. The writing may be any work required as part of the normal course load. If no writings are required for any class, the student must nevertheless submit a writing specifically to meet this requirement.

b. Before beginning their Academic Work, students will consult with the Naval Law Review regarding possible topics upon which to write. The Naval Law Review will maintain a list of mentors who are experts in a particular area of the law and who, upon request, are willing to be assigned to help students develop a topic upon which to write that is beneficial to the student's development, meets the needs of the Navy, and is satisfactory to the student's academic advisor and/or professor.

c. The Academic Work requirement will also be satisfied by showing that a writing has been accepted for publication in a law journal affiliated with an American Bar Association accredited law school.

d. Commanding Officer, Naval Justice School is responsible for implementation of the Academic Work requirement. This requirement is meant to enhance the student's academic experience and should not detract from the primary purpose of obtaining a degree. In the rare event that a student feels this requirement will detract from the primary purpose of obtaining a degree, he should seek immediate assistance and guidance from the Commanding Officer, Naval Justice School. Any questions concerning whether publication is permitted, governed by other requirements, or questions concerning publication in a journal other than the Naval Law Review, should be addressed with the Commanding Officer, Naval Justice School.

10. Utilization Tours. Officers participating in this program must serve one tour in a validated subspecialty billet as soon as possible, but not later than the second tour following graduation. Navy Personnel Command may approve exceptions.

11. Completion of Postgraduate Education. Upon successful completion of this program, a JA is required to submit a copy of his transcript to the Postgraduate School Coordinator (PERS-4416B) to ensure the correct educational coding is documented in his record. Additionally, a JA should submit a copy of his transcript to PERS-312 to update his service record.

12. Coordination. The JAG Corps' Postgraduate School Coordinator (PERS-4416B) is the point of contact for all matters related to this program and may be contacted at (901) 874-4083 or DSN: 882-4083.


J. E. MCPHERSON

Distribution:
JAG Special List 40
All Divisions, OJAG

SAMPLE FORMAT

From: LCDR Charles F. Sierra, JAGC, USN, 123-45-6789/2500
To: Judge Advocate General
Via: Commanding Officer/Commander, (Name of Command)

Subj: APPLICATION FOR NAVY FULLY FUNDED POSTGRADUATE LEGAL
EDUCATION AT CIVILIAN INSTITUTIONS PROGRAM

Ref: (a) JAGINST 1520.1A

Encl: (1) NAVPERS Form 1070/10, Officer Photograph
Submission Sheet of (date)
(2) Undergraduate transcripts
(3) Law School transcripts
(4) Five most recent observed Fitness Reports
(5) Letter of recommendation(s) (two maximum)
(6) Other supporting documentation (e.g., award
citations, etc) (optional)

1. Pursuant to reference (a), I respectfully request selection for subject program. I understand that if I am selected for the subject program and subsequently assigned to postgraduate school, I am required to submit an Academic Work to the Naval Law Review to be considered for publication and to be included in a web-based library of JAGC legal research and guidance for Navy JAGC personnel access.

2. In addition to enclosures (1) through (6), the following information is provided:

a. Date of rank: 1 Jan 04

b. Date of commissioning into Naval service, date of graduation from the NJS Basic Lawyer Course, and source of commission:

(1) 14 January 1997;

(2) 28 Mar 1997; and

(3) Student Program/Direct Accession/Law Education Program

c. List all duty stations and assignments, including dates:

- (1) Naval Justice School, Newport, RI
Student
Jan 97 - Mar 97
- (2) Naval Legal Service Office, SOUTHWEST
Legal Assistance and Defense Counsel
Apr 97 - Mar 99
- (3) USS ENTERPRISE (CVN 65), Norfolk, VA
Assistant Command Judge Advocate
Apr 99 - Apr 01
- (4) Naval Civil Law Support Activity
Code 13 Administrative Law Attorney
Apr 01 - Jun 03
- (5) Region Legal Service Office, EURSWA
Senior Trial Counsel/Department Head
Jul 03 - present

d. Awards, including dates and commands served:

- (1) Navy-Marine Corps Achievement Medal
Apr 97 - Mar 99 (NLSO, SW)
- (2) Navy-Marine Corps Achievement Medal
Apr 99 - Apr 01 (USS ENTERPRISE)
- (3) Joint Service Achievement Medal
Sep 01 - Dec 01 (OSD Working Group TAD assignment)
- (4) Navy-Marine Corps Commendation Medal
Apr 01 - Jun 03 (Code 13)

e. Undergraduate institutions and law schools attended, degrees awarded (list all schools):

University of Pennsylvania, B.A., 1993

Villanova University School of Law, J.D., 1996

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f. Reasons for desiring postgraduate education (personal statement of 100 words or less):

Very respectfully,

CHARLES F. SIERRA
LCDR, JAGC, USN